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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,014	07/24/2000	LOTHAR KUMPEL	21527	4353

535 7590 04/06/2004

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EXAMINER

HUYNH, LOUIS K

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 04/06/2004

22

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,014

Applicant(s)

KUMPEL, LOTHAR

Examiner

Louis K. Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>21</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roch et al. (US 4,847,775) in view of Mott (US 5,435,360).

Roch discloses a machine (113) for making folded boxes from blanks including: an inherent conveyor for moving a box blank through a succession of working stations (delivery station, ejection station, folding station, creasing station); a respective machine element (gluer jaws, creasing conveyors and folders; see Figure 7) for acting on the box blank; a respective position sensor (photo cells or other devices) connected to a calculating unit (134) via a control bus (32) for detecting the actual positions of the respective machine element (column 5, lines 46-49); a memory unit (135) connected to the calculating unit (134) via the control bus system (32); wherein the respective machine element is associated with a respective local display on a touch screen (26) which displays graphically or alpha numerically necessary information of the respective machine element including actual position of the respective machine element (column 5, lines 46-58), so that the respective machine element can be adjusted by an operator (column 2, line 66 – column 3, line 10). The machine of Roch meets all of applicant's claimed subject matter but lacks the specific teaching of a respective local display device at each working station

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connected to the central computer for displaying the respective difference between the respective actual position and the respective desired position.

However, Mott discloses a tool machine having manually adjustable machine tool (4), a displaying device (8) coupled to the machine tool (4) for displaying desired position and current position of the machine tool (4) so that an operator can manually adjust the machine tool to the desired position.

It would have been obvious to an ordinary skilled person in the art, at the time the invention was made, to have modified the machine of Roch by having provided a respective local displaying device at each respective work station for displaying the respective difference between the respective actual position and the respective desired position, as taught by Mott, so that an operator can instantly detects whether or not a respective machine element is correctly positioned.

3. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denk et al. (US 4,554,777) in view of Mott (US 5,435,360).

Denk discloses a cartoning machine (10) including: a conveyor (14) for moving a box blank (1) through a succession working stations (column 2, lines 26-36); a respective manually positionable machine element (20); a respective position sensor (52) associated with the respective machine element; a central memory (73); a central computer (74); a portable switching unit (55) connected to the central computer and having a display device (62) for displaying the respective difference between the respective actual position and the respective desired position. The cartoning machine of Denk meets all of applicant's claimed subject matter

but lacks the specific teaching of a respective local display device at each working station connected to the central computer.

However, Mott discloses a tool machine having manually adjustable machine tool (4), a displaying device (8) coupled to the machine tool (4) for displaying desired position and current position of the machine tool (4) so that an operator can manually adjust the machine tool to the desired position.

It would have been obvious to an ordinary skilled person in the art, at the time the invention was made, to have modified the machine of Roch by having provided a respective local displaying device, such as the displaying device (62) of Denk, at each respective work station for displaying the respective difference between the respective actual position and the respective desired position, as taught by Mott, so that the operator can monitor the exact position of the respective machine element without plugging a displaying device to a certain working station as in the case disclosed in the Denk reference.

With respect to claim 15, the computer (74) calculates a direction in which the elements must be displayed and the respective local display device (62) in the modified machine of Denk would display the calculated direction (column 4, lines 42-58).

With respect to claim 16, although not expressly disclosed, it is known that bus system is normally used for connecting the computer, the memory and other devices such as sensors, displaying devices, etc.; therefore, it would have been obvious to an ordinary skilled person in the art, at the time the invention was made, to have used a bus system to connect the central computer and memory to the sensors and respective local display devices in the modified machine of Denk.

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With respect to claim 17, Denk teaches that individual programs and data are stored in the memory (73) and on diskettes or similar data carriers (column 5, lines 1-4); therefore, the modified machine of Denk would include separate memory such as diskette and/or similar data carriers.

Response to Arguments

4. Applicant's arguments with respect to claims 14 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

6. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is (703) 306-5694.

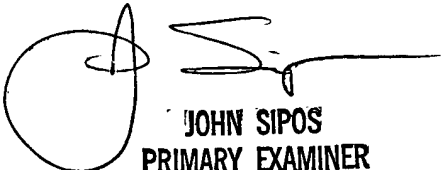
The examiner can normally be reached on M-F from 9:30AM to 5:00PM.

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8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (703) 308-2187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH
March 31, 2004



JOHN SIPOS
PRIMARY EXAMINER